

2614

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

09/681,846

Filing Date

June 15, 2001

First Named Inventor

Kenneth A. Franken

Art Unit

2614

Examiner Name

Unknown at present

Attorney Docket Number

01F1476

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	GREGORY G. WILLIAMS SIMMONS PERRINE ALBRIGHT & ELLWOOD PLC
Signature	
Date	May 22, 2003

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	MARIAN PALMERSHEIM		
Signature		Date	May 22, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#2  
Brt 5/19/03

Applicant: Kenneth A. Franken et al. Group Art Unit No. 2614

Serial No. 09/681,846

Examiner: Unknown

Filed: June 15, 2001

For: SYSTEM AND METHOD FOR DELIVERING RERUN VIDEO  
PROGRAMMING ON NON-HDTV DIGITAL SIDE CHANNELS

May 22, 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
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Sir:

Applicants have become aware of the following references listed on the attached Form PTO/SB/08B and believe these documents may be material to the examination of this application and with respect to which there may be a duty of disclosure.

Other Prior Art

1. Printed web page for iBlast.com on May 19, 2003.
2. iBlast Press Release "Major Broadcast Groups Unite to Establish iBlast", 03/07/00.

3. iBlast Press Release "iBlast Unveils Comprehensive Video-On-Demand Solution", 04/16/2001.

4. iBlast Press Release "iBlast Goes Gunning For Gamers With New Wireless Game Distribution", 5/17/2002.

5. Printed web page of dtvplus.com on May 19, 2003.

6. DTV Plus Press Release "DTV Plus showcases service at Intel's Center for Datacasting Innovation", October 25, 1999.

7. DTV Plus Press Release "Capitol Broadcasting and accessDTV First to Offer Convergence of DTV and PC", May 9, 2001.

This Information Disclosure Statement shall not be construed as a representation that a search has been completed or that no other material information as defined in 37 C.F.R. §1.56(a) exists, nor shall the submission of any document or the disclosure of any other information in connection herewith be construed as an admission that the information cited is, or is considered to be, material to patentability, or as an admission against interest in any manner.

The above-listed references are, in the belief and opinion of the undersigned, the closest art of which the Applicants are aware as of this date, and it is hereby respectfully requested that this document be considered and made of record in the above-identified application.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Some of the documents may have markings thereon. No significance is meant to the attached markings.

These documents are not necessarily analogous art.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form with initials or other appropriate marks.

Respectfully submitted,

BY:

  
Gregory G. Williams, Reg. No. 31,681

SIMMONS, PERRINE, ALBRIGHT & ELLWOOD, P.L.C.

Third Floor Tower Place

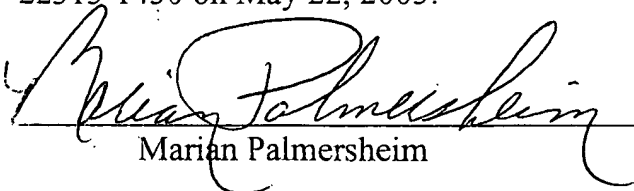
22 South Linn Street

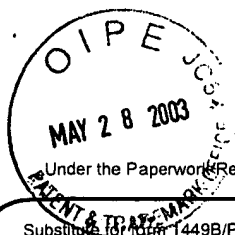
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Substitute for Form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

**Complete if Known**

Application Number	09/681,846
Filing Date	June 15, 2001
First Named Inventor	Kenneth A. Franken
Art Unit	2614
Examiner Name	Unknown at present
Attorney Docket Number	01F1476

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Printed web page for iBlast.com on May 19, 2003.	
		iBlast Press Release "Major Broadcast Groups Unite to Establish iBlast", 03/07/00.	
		iBlast Press Release "iBlast Unveils Comprehensive Video-On-Demand Solution", 04/16/2001.	
		iBlast Press Release "iBlast Goes Gunning for Gamers With New Wireless Game Distribution", 5/17/2002.	
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		DTV Plus Press Release "DTV Plus showcases service at Intel's Center for Datacasting Innovation", October 25, 1999.	
		DTV Plus Press Release "Capitol Broadcasting and accessDTV First to Offer Convergence of DTV and PC", May 9, 2001.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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